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EXAMINER	
GELAGAY, SHEWAYE	
ART UNIT	**PAPER NUMBER**
2137	

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/006,554	SABET-SHARGHI ET AL.	
	Examiner	Art Unit	
	Shewaye Gelagay	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4-7,16,18-29 and 31-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *4-7,16,18-29 and 31-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/11/05,3/27/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to Applicant's amendment filed on October 11, 2005. Claims 1-3, 8-15, 17 and 30 have been cancelled. Claims 4, 7, 16, 24 and 31have been amended. Claims 4-7, 16, 18-29 and 31-34 are pending.

Oath/Declaration

2. The Examiner withdraws the objection to the oath/declaration

Claim Rejections - 35 USC § 112

3. The Examiner withdraws the rejection of claim 31 under 35 U.S.C. 112.

Claim Rejections - 35 USC § 101

4. The Examiner withdraws the rejection of claims 1-7 under 35 U.S.C. 101.

Response to Arguments

5. Applicant's arguments with filed on November 11, 2005 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 31-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is not tangibly embodied as it is only software per se. It is suggested that the claimed subject matter "a software ..." should be changed to "a software program stored on a computer-readable medium ...".

Double Patenting

8. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 7, 23 and 31 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 13 and 20 of copending application number 10/006,465. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1, 13 and

20 of copending application of '465 contain (s) every element of claims 7, 23 and 31 of the instant application respectively and as such are not patentably distinct from the copending application.

"A later patent claim is not patentably distinct from an earlier patent claim if the later claim is obvious over, or **anticipated by**, the earlier claim. In re Longi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); In re Berg, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming a holding of obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus). " ELI LILLY AND COMPANY v BARR LABORATORIES, INC., United States Court of Appeals for the Federal Circuit, ON PETITION FOR REHEARING EN BANC (DECIDED: May 30, 2001).

"Claim 12 and Claim 13 are generic to the species of invention covered by claim 3 or the patent. Thus, the generic invention is **"anticipated"** by the species of the patented invention. Cf., Titanium Metals Corp. v. Banner, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985) (holding that an earlier species disclosure in the prior art defeats any generic claim) 4 . This court's predecessor has held that, without a terminal disclaimer, the species claims preclude issuance of the generic application. In re Van Ornum, 686 F.2d 937, 944, 214 USPQ 761, 767 (CCPA 1982); Schneller, 397 F.2d at 354.

Accordingly, absent a terminal disclaimer, claims 12 and 13 were properly rejected under the doctrine of obviousness-type double patenting." (In re Goodman (CA FC) 29 USPQ2d 2010 (12/3/1993)

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 16-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirota et al. (hereinafter Hirota) U.S. Patent 6,865,431.

As per claim 16:

Hirota teaches a method of playing encrypted audio or video content stored in a secure media with a device, the method comprising:

a pre-play process comprising:

copying one or more groups of information regarding the tracks to be played back into a memory of the device; (col. 20, lines 52-54) and

a play process comprising:

receiving one more commands from a user interface to initiate playback; (col. 42, lines 34-40)

accessing the one or more groups of information from the memory of device; (col. 59, line 53-col. 60, line11)

copying approximately less than one to five seconds of encrypted content from the secure media into a memory of the device according to a sequence based upon information of the one or more groups of information copied into the ram memory; (col. 59, line 53-col. 60, line11)

decrypting the approximately less than one to five seconds of encrypted content before copying and decrypting an additional approximately less than one to five seconds of content. (col. 15, lines 45-53; col. 42,lines 34-35; col. 60, line 11)

As per claims 18 and 19:

Hirota teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the one or more groups of information comprise playlist and track information. (col. 34, lines 15-41)

As per claims 20 and 21:

Hirota teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the one or more groups of information further comprises which audio object within the track is to be played, and where the audio object is located within the secure media. (col. 36, line 42-col. 37, line 13)

As per claim 22:

Hirota teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the pre-play process comprises authorizing the secure media. (Col. 3, lines 64-67; Col. 57, lines 24-31)

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 4-7 and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirota et al. (hereinafter Hirota) U.S. Patent 6,856,431 in view of Tagawa et al. (hereinafter Tagawa) U.S Patent 6,615,192.

As per claim 4:

Hirota teaches a computer readable storage medium having an executable Program, the program to be utilized in an audio and/or video device for playback of encrypted audio and/or video files, the program configured to:

decrypt encrypted audio and/or video content of the file from a memory card based on a command received from a user interface of the device, (col. 42, lines 34-40) wherein decrypting the audio or video content comprises:

copying one or more encrypted keys from a protected area of the memory card into a memory buffer of the device; (col. 59, lines 55-56)

copying encrypted audio or video content from the memory card into a memory buffer of the devices; (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6)

decrypting one or more of the copied encrypted keys; (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6)

decrypting the copied encrypted audio or video content with the one or more decrypted keys; (col. 42,lines 34-35; col. 60, line 11)

In addition, Hirota further discloses when the playback of audio objects which create audio tracks ends, the following audio object is read and when the playback of the following audio object commences, the corresponding management information is read and overwritten into the internal memory of the playback device to take the place of management information that was hitherto stored. (Col. 5, lines 34-39; Col. 20, lines 52-61)

Hirota does not explicitly disclose immediately deleting the one or more keys after decrypting the audio and/or video content before decryption additional content of the file. Tagawa in analogous art, however, discloses immediately deleting the one or more keys after decrypting the audio and/or video content before decryption additional content of the file. (col. 8, lines 56-61; col. 11, lines 32-33) Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Hirota with Tagawa in order to minimize the damage caused by the exposure of one of the encryption keys. (col. 4, 17-19; Hirota)

As per claim 5:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a software program wherein about less than one to ten seconds of content is decrypted at a time with the one or more

decrypted keys before the one or more decrypted keys are deleted. (col. 15, lines 45-53)

As per claim 6:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a software program wherein about two seconds of content is decrypted at a time with the one or more decrypted keys before the one or more keys are deleted. (col. 15, lines 45-53)

As per claim 7:

Hirota teaches a computer readable storage medium having an executable program, the program to be utilized in an audio and/or video device for playback of encrypted audio/or video content, the program configured to:

decrypt and encrypted audio or video track from the memory card, wherein decrypting the audio or video track comprises:

(a) calculating a media unique key; (Col. 10, lines 26-29; Col. 57, lines 63-65; Col. 59, lines 3-18) and thereafter

(b) decrypting a title key stored in the memory of the device with the media unique key; (Col. 10, lines 24-25; Col. 59, lines 65-66; Col. 60, lines 5-6) and thereafter

(c) decrypting a group of frames; (Col. 42, lines 34-35; Col. 60, lines 10-11)

(f) repeating (a) through (e) until the entire track is completed. (col. 20, lines 56-61; Col. 47, lines 25-27; Col. 60, lines 11)

In addition, Hirota further discloses when the playback of audio objects which create audio tracks ends, the following audio object is read and when the playback of

the following audio object commences, the corresponding management information is read and overwritten into the internal memory of the playback device to take the place of management information that was hitherto stored. (Col. 5, lines 34-39; Col. 20, lines 52-61)

Hirota does not explicitly disclose (d) deleting the decrypted title key; and (e) deleting the media unique key. Tagawa in analogous art, however, discloses the title and disc key may be deleted whenever copying is performed. (Col. 8, 56-61; Col. 11, lines 32-33) Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Hirota with Tagawa in order to minimize the damage caused by the exposure of one of the encryption keys. (col. 4, 17-19; Hirota)

As per claim 24:

Hirtota teaches a method for allowing a device having a processor and random access memory to easily access encrypted data from a memory card with a group of commands, the method comprising:

retrieving playlist information from the memory card and storing the information in the random access memory of the device; (col. 44, lines 21-34)

retrieving track information from the memory card and storing the track information into the random access memory of the device; (Col. 20, lines 52-54; Col. 42, lines 34-35; Col. 60, lines 10-11)

receiving a command selected from the group of commands from the device, the command accessing both of the playlist information, and track information from the random access memory; (col. 59, line 53-col. 60, line11) and

executing the command by retrieving the encrypted data stored within the memory card and decrypting the data based on the accessed information, (col. 10, lines 24-25; col.59, lines 55-66, col. 60, lines 5-6) wherein decrypting the data comprises,

(a) calculating a media unique key; (Col. 10, lines 26-29; Col. 57, lines 63-65; Col. 59, lines 3-18) and thereafter

(b) decrypting a title key stored in the memory of the device with the media unique key; (Col. 10, lines 24-25; Col. 59, lines 65-66; Col. 60, lines 5-6) and thereafter

(c) decrypting a group of frames; (Col. 42, lines 34-35; Col. 60, lines 10-11) and thereafter

(f) repeating (a) through (e) until the entire track is completed. (col. 20, lines 56-61; Col. 47, lines 25-27; Col. 60, lines 11)

In addition, Hirota further discloses when the playback of audio objects which create audio tracks ends, the following audio object is read and when the playback of the following audio object commences, the corresponding management information is read and overwritten into the internal memory of the playback device to take the place of management information that was hitherto stored. (Col. 5, lines 34-39; Col. 20, lines 52-61)

Hirota does not explicitly disclose (d) deleting the decrypted title key; and (e) deleting the media unique key. Tagawa in analogous art, however, discloses the title

and disc key may be deleted whenever copying is performed. (Col. 8, 56-61; Col. 11, lines 32-33) Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Hirota with Tagawa in order to minimize the damage caused by the exposure of one of the encryption keys. (col. 4, 17-19; Hirota)

As per claim 25:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the playlist information comprises:

the name of a playlist; (Col. 17, line 39-col. 18, line 67)

the playlist name string length; (Col. 17, line 39-col. 18, line 67)

the playback time of the playlist; (Col. 17, line 39-col. 18, line 67)

the tracks comprised by the playlist; (Col. 17, line 39-col. 18, line 67) and

the index corresponding to the playlist. (Col. 17, line 39-col. 18, line 67)

As per claim 26:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the track information comprises:

a track number; (Col. 17, line 39-col. 18, line 67)

an index corresponding to the track number; (Col. 17, line 39-col. 18, line 67)

a number of track units in the track; (Col. 17, line 39-col. 18, line 67) and

the playback time of the track. (Col. 17, line 39-col. 18, line 67)

As per claim 27:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the track information comprises:

a format type of a track; (Col. 17, line 39-col. 18, line 67)

a sampling frequency of the track; (col. 54, lines 59-63)

the size of the track in bytes; (Col. 17, line 39-col. 18, line 67) and

the current track being decrypted. (Col. 17, line 39-col. 18, line 67)

As per claim 28:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein the general track information comprises:

the number of audio objects comprised by the track; (figure 16)

the first audio object comprised by the track; (figure 16)

the last audio object comprised by the track; (figure 16)

the current audio object being decrypted; (Col. 42, lines 34-35; Col. 60, lines 10-11) and

the offset of the current audio object. (col. 21, lines 7-13)

As per claim 29:

The combination of Hirota and Tagawa teaches all the subject matter as discussed above. In addition, Hirota further discloses a method wherein decrypting the data comprises:

copying one or more encrypted keys from a protected area of the memory card into a memory buffer of the device; (col. 59, lines 55-56)

copying encrypted audio or video content from the memory card into a memory buffer of the device; (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6)

decrypting one or more of the copied encrypted keys; (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6)

decrypting the copied encrypted audio or video content with the one or more decrypted keys. (col. 42,lines 34-35; col. 60, line 11)

13. Claims 23 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirota et al. (hereinafter Hirota) U.S. Patent 6,856,431 in view of Tagawa et al. (hereinafter Tagawa) U.S Patent 6,615,192 and in view of Saxena et al. (hereinafter Saxena) U.S. Patent 5,805,821.

As per claim 23:

Hirota teaches a system enabling a portable device to access encrypted music on a memory storage device comprising:

receive a plurality of commands from a user interface of the portable device; (col. 42, lines 34-40) and

send commands to an isolated security engine,(Col. 42, lines 34-40) the isolated security engine configured to:

copy encrypted keys and encrypted content from the memory storage device to a memory of the portable device; (col. 59, lines 55-56)

decrypt the keys; (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6)

decrypt the content using the decrypted keys; (Col. 42, lines 34-35; Col. 60, lines 10-11)

In addition, Hirota further discloses when the playback of audio objects which create audio tracks ends, the following audio object is read and when the playback of the following audio object commences, the corresponding management information is read and overwritten into the internal memory of the playback device to take the place of management information that was hitherto stored. (Col. 5, lines 34-39; Col. 20, lines 52-61)

Hirota does not explicitly disclose immediately delete the decrypted keys. Tagawa in analogous art, however, discloses immediately delete the decrypted keys. (col. 8, lines 56-61; col. 11, lines 32-33) Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Hirota with Tagawa in order to minimize the damage caused by the exposure of one of the encryption keys. (col. 4, 17-19; Hirota)

Both references do not explicitly disclose an applications programming interface for receiving the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium. Saxena in analogous art, however, discloses an applications programming interface for receiving the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium. (Col. 18, lines 34-43)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Hirota and

Tagawa to include an applications programming interface for receiving the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Saxena (Abstract) in order to provide a capability for specifying commands for execution by the user interface and in response to the command for controlling at least on storage device using a synchronous application program interface.

As per claim 31:

Hirota teaches a software system that enables a device to access content on a secure medium comprising:

one or more user interface modules for receiving commands from the device; (col. 42, lines 34-40)

a security engine for decrypting the encrypted content and encrypted keys sent from the secure medium to memory of the device, the decrypted keys used to decrypt the encrypted content, (Col. 42, lines 34-40) and wherein

one or more of the keys are contained in a first encrypted data segment, (col. 59, lines 55-56) and

encrypted content is contained in a second encrypted data segment, (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6) and

the security engine buffers and decrypts a portion of the first data segment (col. 10, lines 24-25; col.59, lines 65-66, col. 60, lines 5-6) buffers and decrypts the second

data segment, (Col. 42, lines 34-35; Col. 60, lines 10-11), such that decrypted keys are in a decrypted state for the time it takes to decrypt less than one to about five seconds of content. (col. 15, lines 45-53; col. 42,lines 34-35; col. 60, line 11)

In addition, Hirota further discloses when the playback of audio objects which create audio tracks ends, the following audio object is read and when the playback of the following audio object commences, the corresponding management information is read and overwritten into the internal memory of the playback device to take the place of management information that was hitherto stored. (Col. 5, lines 34-39; Col. 20, lines 52-61)

Hirota does not explicitly disclose delete the decrypted one of more keys before decrypting another portion of the first encrypted segment. Tagawa in analogous art, however, discloses decrypted one of more keys before decrypting another portion of the first encrypted segment. (col. 8, lines 56-61; col. 11, lines 32-33) Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Hirota with Tagawa in order to minimize the damage caused by the exposure of one of the encryption keys. (col. 4, 17-19; Hirota)

Both references do not explicitly disclose an applications programming interface for receiving the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium. Saxena in analogous art, however, discloses an applications programming interface for receiving

the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium. (Col. 18, lines 34-43)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Hirota and Tagawa to include an applications programming interface for receiving the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Saxena (Abstract) in order to provide a capability for specifying commands for execution by the user interface and in response to the command for controlling at least on storage device using a synchronous application program interface.

As per claim 32:

The combination of Hirota, Tagawa and Saxena teaches all the subject matter as discussed above. In addition, Hirota further discloses a system wherein the key is in a decrypted state for the time it takes to decrypt and process about two seconds of content. (col. 15, lines 45-53)

As per claim 33:

The combination of Hirota, Tagawa and Saxena teaches all the subject matter as discussed above. In addition, Hirota further discloses a system wherein the software of the device is further configured to decompress and decode audio content in either the AAC, MP3 or WMA format. (col. 14, lines 35-62)

As per claim 34:

The combination of Hirota, Tagawa and Saxena teaches all the subject matter as discussed above. In addition, Hirota further discloses a system wherein the portion of the first data segment buffered and decrypted is about 512 bytes. (col. 57, lines 60-62)

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shewaye Gelagay SG

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER